

Response to Office Action Mailed December 3, 2002

A. Claims in the Case

Claims 1-11 have been cancelled. Claims 22-32 have been added. Claims 22-32 are pending.

B. Drawings

The Examiner objected to the drawings under 37 CFR 1.83(a) because (a) “the channels must be shown or the feature(s) cancelled from the claims 1-7”, and (b) “the engaging projection mounted on the backplane as recited in claim 3 must be shown or the feature cancelled from claims 3-4.” The current claims do not recite a “channel” or an “engaging projection mounted on the backplane.” Applicant respectfully requests the Examiner withdraw the objection to the drawings.

C. Specification

The Examiner objected to the specification under 37 CFR 1.75(d) because “the engaging projection slidably mounted on the backplane has not been described.” The current claims do not recite an “engaging projection slidably mounted on the backplane.” Applicant respectfully requests the Examiner withdraw the objection to the specification.

D. 35 U.S.C. §112 Rejections, First Paragraph

The Examiner rejected claims 3-4 under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed,

had possession of the claimed invention. The current claims do not recite an “engaging projection slidably mounted on the backplane.” Applicant respectfully requests the Examiner withdraw the rejection to the claims.

E. 35 U.S.C. §112 Rejections, Second Paragraph

The Examiner has rejected claims 1-6 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant believes the current claims comply with 35 U.S.C. §112. Applicant respectfully requests the Examiner withdraw the rejection to the claims.

F. 35 U.S.C. §102 Rejections

The Examiner has rejected claims 1-2 and 5-9 under 35 U.S.C. 102(b) as being anticipated by Tollbom (U.S. Patent No. 5,793,614) (hereinafter “Tollbom”). Applicant respectfully disagrees with these rejections.

Applicant respectfully reminds the Examiner that the standard for “anticipation” is one of fairly strict identity. To anticipate a claim of a patent, a single prior source must contain all the claimed essential elements. *Hybritech, Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 231 U.S.P.Q.81, 91 (Fed.Cir. 1986); *In re Donahue*, 766 F.2d 531, 226 U.S.P.Q. 619, 621 (Fed.Cir. 1985).

Tollbom does not appear to disclose, teach, or suggest “the flexible coupling provides a biasing force which biases said circuit board towards said back plane (emphasis added)” as recited in claim 22. Tollbom discloses: “FIG. 4D shows the module fully installed, with the lever at rest. The rear surface 106 of the second tooth 104 is biased by the spring to rest against the rail 26 (Tollbom, col. 4, lines 60-62).” Applicant respectfully submits that Tollbon describes

a mechanism in which an installed module 14 is biased away from a rear wall 20 of the chassis 12. Applicant respectfully asserts claim 22 and claims dependent thereon are allowable for at least the above reasons.

Similarly, Tollbom does not disclose, teach, or suggest “flexible coupling provides a biasing force which biases said circuit board towards said back plane” as recited in claim 27. Applicant respectfully asserts claim 27 is allowable for at least the above reasons.

Furthermore, Tollbom does not disclose, teach, or suggest “a biasing member coupled to said pivotal mounting providing a biasing force for biasing said circuit board towards said back plane” as recited in claim 28. Applicant respectfully asserts claim 28 is allowable for at least the above reasons.

Tollbom also does not disclose, teach, or suggest “a biasing force which biases said circuit board towards said back plane” as recited in claim 29. Applicant respectfully asserts claim 29 and claims dependent thereon are allowable for at least the above reasons.

G. 35 U.S.C. §103 Rejections

The Examiner has rejected claims 3-4 and 10-11 under 35 U.S.C. §103(a) as being unpatentable over Tollbom. Applicant respectfully disagrees with the rejection.

Applicant respectfully asserts claims 22, 27, 28, 29, and claims dependent thereon are allowable for at least the above reasons

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U.S. Pat. Appl. No.: 09/939,063

H. Summary

Based on the above, Applicant submits that all of the claims are in condition for allowance. Favorable reconsideration is respectfully requested.

If any extension of time is required, Applicant hereby requests the appropriate extension of time. If any fees are inadvertently omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel Deposit Account No. 50-1505/5681-03400/BNK.

Respectfully submitted,



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